

**The Computer Law Committee of the IP Section of the State Bar
and the
National Entertainment and Media Law Institute at Southwestern University School of Law**

invite inhouse counsel, private practice lawyers, the Southwestern community, IP Section members and software executives to the in-person & telephonic

Sixth Computer/Internet Roundtable

**OPEN SOURCE: NEW SOURCE FOR LITIGATION LIABILITY?
RISKS IN THE WORLD OF SCO, LINUX AND OPEN SOURCE**

A presentation and discussion with:

Jason Wilson - Willenken Wilson Loh & Stris LLP
Michael D. Scott - Southwestern Law School
Michael Krieger - UCLA Computer Science Department

Tuesday, April 20, 2004, 12:00 p.m.-1:30 p.m.

- Lunch and parking is complementary for in-person attendees
- In person attendance is limited so please register early
- Admission is complementary, but e-mail registration/RSVP is required
- Conference call-in (800) provided for remote participants
- 1 Hour of MCLE Credit

Location: Southwestern University School of Law
3050 Wilshire Blvd. (the famed "Bullocks Wilshire Bldg.")
Second Floor, Los Angeles, CA 90005

Map and driving directions to the school are at <http://www.swlaw.edu/campus/map.html>

The Computer/Internet Law Roundtable is a periodic gathering of those interested in the ever-evolving law of computers, the Internet and a chance to learn of recent legal developments, explore the effects of technology advances and exchange experiences and ideas about litigation, legislation and policy. All — lawyers and non-lawyers alike — are welcome.

AGENDA

12:00 Networking and Lunch

12:30 Conference call commences

1. Introduction of the Roundtable
2. Featured speaker and topic:

"Open source" (OS) as an alternative to Microsoft-like development and licensing has grown into a mainstream issue in recent years. With the filing of *Caldera Systems, Inc. d/b/a/ SCO Group v. IBM Corp.* (complaint at <http://www.caldera.com/scosource/complaint3.06.03.html>) SCO brought real risk, potential liability and litigation into the Linux and OS worlds. Exposure that was previously conjectural (the few suits filed had settled early) became all the more real as SCO made good on threats to IBM's Linux users by suing Daimler-Chrysler and AutoZone.

An increasingly adopted software paradigm -- spanning entertainment to industrial controls -- OS licensing and development holds both promise and perils for the uninitiated, whether programmers or general counsel. Yet, Linux -- poster-child of the OS movement and widely used operating system for devices like cell-phones -- has increasingly unseated Windows on corporate desktops, a trend accelerated by IBM's Linux evangelism. Like a gathering lightening storm, SCO's aggressive posture -- said to be funded by Microsoft -- has created fear and uncertainty among potential corporate Linux users and their counsel. **Today's seminar, after a backgrounder in OS origins and licensing, will explore the litigation risk to companies using open source software internally and in products. Likewise, it will treat the basis,**

status, and potential of the various SCO lawsuits with an eye toward how to best protect one's clients from liability.

Biographies:

Jason H. Wilson, a partner in Willenken Wilson Loh & Stris LLP (Los Angeles), has extensive experience litigating and trying patent and other technology matters during the past 17 years. He frequently writes and speaks on issues of trial and litigation assessment in technology cases.

He previously was at Morgan Lewis & Bockius. Jason is a graduate of Pomona College (B.A.), Harvard Law School (J.D. cum laude), and clerked for the 9th Circuit, first for Judge O'Scainlain and two years later for Judge Tang.

Michael D. Scott, a professor at Southwestern Law School and 30-year computer law veteran, is widely known for authoring "Scott on Computer Law," "Scott on Multimedia Law," and for editing such journals as the "Cyberspace Lawyer." Most recently, a partner at Perkins Coie LLP, he also has held executive positions in several multimedia companies. Michael is a graduate of MIT (B.S.), and holds a J.D. from the UCLA School of Law.

Michael M. Krieger, has practiced computer law for nearly 20 years, focusing on preventive and strategic litigation issues. Involved in cryptology, technology transfer, Internet and open source issues since they emerged, he has assisted clients ranging from startups to international corporations. Michael graduated Caltech (B.S.) and UCLA (Ph.D.) in mathematics and then spent 10 years on the MIT and UCLA faculties prior to earning a J.D. at UCLA. He was at Bronson Bronson & McKinnon and continues to practice while teaching law and business courses in UCLA's Computer Science Department.

Registration Information:

If you plan to attend the Roundtable, whether in person or via telephone, please RSVP to Tamara Moore (213) 738-6602 or tmoore@swlaw.edu, being sure to indicate if you will join us in person or by phone.

The Conference call-in number will be emailed to call-in attendees after registration. The conference call will commence at 12:30 p.m. Conference call attendees will receive materials by e-mail prior to the roundtable to the extent available.

This is an event of the Computer Law Committee of the IP Section of the State Bar of California and the National Entertainment and Media Law Institute.

The Intellectual Property Section of the State Bar of California is a State Bar of California approved MCLE provider.

The Computer/Internet Roundtable is graciously hosted by Southwestern University School of Law <www.swlaw.edu>

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**If you do not want to receive information about future events, please reply to this e-mail with the subject line REMOVE-CL-LIST.

Those wishing to join the IP section of the State Bar, please send a message to complawcomm@earthlink.net or contact the IP Section at 415.538.2375/fax 415-538-2368 or online www.ipsection.org.